



## FRANK BURKE, ESQ.



Mediator • Arbitrator

### SAN FRANCISCO

ADR Services, Inc.  
100 First Street, 27<sup>th</sup> Floor  
San Francisco, CA 94105  
Tel. (415) 772-0900

### SILICON VALLEY

ADR Services, Inc.  
96 N. Third Street, Suite 350  
San Jose, CA 95112  
Tel. (408) 280-7883

### OAKLAND

ADR Services, Inc.  
One Kaiser Plaza, Suite 480  
Oakland, CA 94612  
Tel. (510) 466-6630

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**Education: A.B., Cornell University 1972  
(*Magna Cum Laude* in Economics)  
J.D., Harvard Law School 1975**

**Bar Admissions: State and Federal Courts in Arizona,  
California, Colorado and Washington**

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### AREAS OF PRACTICE

Mr. Burke brings 42 years of experience as a business trial lawyer in major national law firms, representing both plaintiffs and defendants in a diverse range of business disputes in federal and state courts in 26 states, China and Canada. He helps parties resolve their conflicts in a fair, cost-effective way through creative approaches and relentless follow-up. He uses a mix of facilitative and evaluative approaches depending on the situation and the parties' desires. He likes to get to know the parties and hear their perspectives. He listens to them carefully and always treats the parties with empathy, respect and civility as he learns their views, motivations, wants and needs. He prepares intensively in advance of each mediation session. As a full-time neutral, he has had significant experience mediating and arbitrating disputes involving individuals and small, midsize and large businesses, including family businesses. He is available to conduct hearings throughout California and Arizona.

Mr. Burke has extensive experience in the following areas of the law:

- Contract disputes
- Real estate disputes
- Landlord/tenant/lease disputes
- Family business disputes
- Business divorce cases
- Complex commercial disputes
- Corporate governance disputes
- Merger and acquisition disputes
- Class actions and derivative suits
- Securities fraud investment disputes
- Accounting and legal malpractice disputes
- Antitrust, unfair competition and trade practices disputes
- Technology, trade secrets and intellectual property disputes
- Employment disputes
- Healthcare disputes
- Partnership disputes and dissolutions
- Debtor-Creditor disputes
- Qui tam and False Claims Act disputes
- Banking and Finance Disputes
- Accounting and Taxation Disputes
- Environmental disputes
- Construction defect disputes
- Insurance coverage disputes
- Personal and catastrophic injury disputes
- Automobile, motorcycle, and truck-trailer disputes
- E-discovery and cybersecurity

## PROFESSIONAL EXPERIENCE

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### **ADR Services, Inc., San Francisco and Silicon Valley (2017-Present)**

Mediator, Arbitrator, Temporary Judge, Special Master, and Discovery Referee

### **Partner, Foley & Lardner LLP, San Francisco and Silicon Valley (2014-2017)**

Business Litigation; Antitrust; Securities Enforcement & Litigation; Government Enforcement & White Collar; Intellectual Property Litigation Groups

### **Partner, Seyfarth Shaw LLP, Los Angeles (2012-2014)**

Chair of the Los Angeles Litigation Department; firmwide practice area leader of the Antitrust and Trade Regulation team; firmwide co-leader of the False Claims and Internal Investigations team

### **Partner, Steptoe & Johnson LLP, Phoenix and Los Angeles (1994-2012)**

Firmwide practice group leader; Securities Litigation and Enforcement practice; Phoenix Commercial Litigation practice group; Managing Partner of the Phoenix office

### **Partner, Streich Lang, Phoenix (1985-1993)**

Executive Committee; Compensation Committee; Strategic Planning Committee; Ethics Committee; Co-leader, Writing Skills Program; In-House NITA Trial Program and Deposition Skills Program

### **Assistant United States Attorney, United States Department of Justice, Seattle (1980-1985)**

Member, Economic Crime Enforcement Unit and Liaison to SEC

### **Associate, Morrison & Foerster, San Francisco (1977-1980)**

### **Associate, Sherman & Howard, Denver (1975-1977)**

## MEDIATION AND ARBITRATION TRAINING

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- Advanced Mediation and Advocacy Skills Institute, ABA Section of Dispute Resolution (2017)
- Annual Conference, Association for Dispute Resolution of Northern CA (2017)
- American Bar Association Section of Dispute Resolution, Spring Meeting (2017)
- Arbitration Fundamentals and Best Practices for New AAA Arbitrators, AAA (2017)
- Arbitration Award: Safe Guarding, Deciding and Writing Awards, AAA (2017)
- Mediating the Litigated Case, Straus Institute at Pepperdine University (2016)
- Arbitration Case Law-Annual Update, ABA Section of Dispute Resolution (2016)
- Arbitrator Certificate Training, Bar Association of San Francisco (2016)
- Mediation of an Employment Case with Represented and Unrepresented Litigants, State Bar of California (2016)

## HONORS AND RECOGNITION

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- The Best Lawyers in America, Commercial Litigation (2007-Present)
- Arizona and California Super Lawyers, Securities Litigation, ADR (2007-Present)
- Chambers USA, America's Leading Lawyers, General Commercial Litigation (2007-2012)
- Martindale Hubbell, AV Preeminent Rating

## PROFESSIONAL AFFILIATIONS

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American Bar Association (1975-Present)

Association for Conflict Resolution, Northern California Chapter

Association of Business Trial Lawyers (2008-Present)

State Bar of California

Bar Association of San Francisco

Santa Clara County Bar Association

San Mateo County Bar Association

Santa Clara County Superior Court, ADR Committee (2019-2020)